IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.1094/06
Smt. Bulbul Meena Vs. State of Raj. & Ors.

30.08.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri S.P. Chandaliya for petitioner.
Shri B.K. Sharma, Addl. Ga for respondents.

Heard learned counsel for the petitioner.

The petitioner has challenged the order dated 29.10.2005 whereby the selection process earlier initiated for allotment of fair price shop no.490A of Jaipur was cancelled and prayed for a mandamus upon the respondents that they should not be permitted to entertain any other application for allotment of this shop until the application submitted by the petitioner pursuant to the

notification dated 22.8.2005 is considered.

The learned Additional Government Advocate in the course of arguments clarified that the earlier selection process initiated by notification dated 22.8.2005 was abandoned on account of certain objections and it was cancelled by order dated 25.1.2006. However subsequently fresh notification was issued. The petitioner however did not apply in compliance of such fresh notification. It is however further stated by him that even as per the fresh notification dated 25.1.2006, no allotment so far has been made but even if the allotment was made, the petitioner did not apply pursuant to the fresh notification, his case was not

considered.

In the facts of the case when the petitioner did not apply for allotment of shop no.490A pursuant to notification dated 25.1.2006, no direction possibly to entertain his application in response to the previous notification dated 22.8.2005 can be issued. However, it is made clear that if the respondents have so far not finalized the process of allotment and decide to now again notify the aforesaid vacancy, the petitioner would be at liberty to apply afresh.

With these observations, the writ petition is disposed of.

(Mohammad Rafiq),J.

Rs/-